

REMARKS

Applicant wishes to express his sincere gratitude for the courteous and helpful telephone interview conducted by Examiner Parsley with Applicant and his undersigned attorney of record on December 15, 2004. It is a purpose of these Remarks to make of record what transpired at the interview and to request reconsideration of the Office Action dated October 5, 2004.

In this respect, claim 39 above was the specific claim informally presented prior to (and initially discussed at) the interview, in order to form a focal point for efficient discussion. Other claims were also discussed, e.g., the cancellation of claims 1, 6, 7, 8 and 33-38, as well as the additional amendment to the method claims (61-67), so as to render them dependent on the use of the apparatus recited in claim 39 (see the preamble of independent claim 61, from which claims 62-67 depend, directly or indirectly).

Referencing now the rejections of the then pending claims under both §102 and §103 in the Office Action, reconsideration is respectfully requested. As pointed out at the interview, all pending claims have been cancelled and presented here as new claims 39-67 (to simplify the nature of the Amendment). Each claim is sincerely believed to distinguish over the applied prior art both as to novelty (§102) and obviousness (§103) as kindly and correctly recognized in the Examiner's very helpful facsimile

comments of December 14, 2004. In short, the claims are drafted, as pointed out at the interview, to incorporate what the Examiner helpfully indicates as allowable in the aforesaid facsimile (subject, of course, to his further searching of the prior art).

For example, new independent claim 39 from which all other claims, including the method claims 61-67, now depend (directly or indirectly), recites subject matter neither anticipated nor rendered obvious by the cited Berg '393 patent (nor by Berg '393 in combination with any of the secondary references applied under §103 with Berg '393). Moreover, it is also sincerely believed that none of the references cited in the Office Action to show "the state of the art" (O.A., pp. 11-12) taken alone or in combination, even with the applied references, render these claims unpatentable.

In view of the above, it is believed that this application (subject, of course, to any further search by the Examiner) is in condition for allowance and may be passed to issue forthwith. A holding to this effect is respectfully solicited.

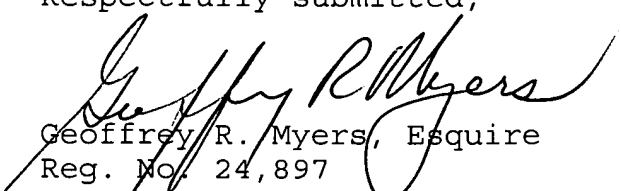
If, however, any issues remain upon reconsideration, the Examiner is respectfully requested to call the undersigned for the purpose of resolving any such remaining issues.

It is believed no fee is due at this time. If that determination should be incorrect, then please debit Deposit Account No. 50-0644 and notify the undersigned.

Respectfully submitted,

Dated:

12/16/04


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